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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,472	12/23/2003	James G. Stanley	086142-0599	8015
22428	7590	11/06/2006	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			DUNN, DAVID R	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/743,472	Applicant(s) STANLEY ET AL.	
	Examiner David Dunn	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6,7 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-15 is/are allowed.
- 6) ☒ Claim(s) 1,6 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is responsive to the amendment filed 22 August 2006. Claims 2-5, 8, and 9 have been canceled.

Drawings

1. The drawings were received on 22 August 2006. These drawings are acceptable.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-206977.

JP 2002-206977 discloses a seat belt assembly including an anchor connecting member (10; Figure 2), a webbing connecting member (30) connected the seat belt (60), and a sensor mechanism (20) which detects a force acting between these members, the webbing being inserted into a hole provided said webbing connecting member (see Figure 1b), and connected by folding back the same; wherein the portion of the webbing inserted into said hole is folded back from the both sides in the width direction, and the width is reduced by bonding the folded portion with the portion not folded (see page 10 of English translation, paragraph 0021).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2002-206978 in view of JP 2002-206977.

JP 2002-206978 discloses a seat belt device comprising an anchor connecting member (10), a webbing connecting member (20), a webbing (W) passing through the opening in the webbing connecting member, a sensor mechanism (30) which detects a force acting between the members, wherein the sensor has a shaft bar (32) rotating by relative displacement of the members; said shaft bar has an arm spring (45) rotating therewith; the arm spring applies, together with rotation of the shaft bar, a pressing force to a sensor plate having a strain gauge attached thereto (see English translation, page 15, paragraph 0025 - page 16, paragraph 0026). The arm spring is secured to the shaft bar by a screw (B1; see Figure 5). The arm spring has a free end (45C) folded from the fixed portion (see Figure 5). JP 2002-206978 shows the distance between the point at which the webbing connecting member transmits the force to the sensor and the point at which the belt is connected to the webbing connecting member being shorter than the distance between the point at which the webbing connecting member transmits the force to the sensor and the point at which the anchor connecting member is connected to the vehicle body (see Figure 7). The shaft bar is arranged to be rotatably held by the webbing connecting member (see Figure 2). As seen in Figures 3 and 4, the surface on which the anchor connecting member

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is connected to the vehicle body and the surface on which the webbing connecting member is connected to the seat belt are in the same plane.

JP 2002-206978 fails to show the webbing having a transverse stitching.

JP 2002-206977 teaches a webbing folded and constrained from unfolding by stitching (62) extending in a direction transverse to the longitudinal direction of the webbing (see Figure 1b). JP 2002-206977 also shows the webbing have a second stitching (65) in the folded portion.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify JP 2002-206978 with the teachings of JP 2002-206977 in order to securely attach the webbing to the webbing connecting member.

Allowable Subject Matter

6. Claims 10-15 are allowed.

Response to Arguments

7. Applicant's arguments filed 22 August 2006 have been fully considered but they are not persuasive.

On page 7, Applicant argues that claims 1, 6, and 7 are entitled to the priority date of provisional application 60/394,815 because claims 1, 6, and 7 have support in the disclosure of provisional application. This argument fails for the following reasons.

Regarding claim 1, the provisional application does not disclose the width being "reduced by bonding the folded portion with the portion not folded." This recitation was added by the instant CIP application as shown by new Figure 21(b). The word "bonding" is first introduced in

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the detailed description on page 24 (paragraph 00108), which was not in the provisional application.

Regarding claim 6, the provisional application does not show the surface on which the anchor connecting member is connected to the vehicle body and the surface on which the webbing connecting member is connected to the seat belt being “in the same plane.” Applicant argues that Figures 13b and 14b show anchor plate 102 and carriage 106 as being in the same plane. First, looking at the figures, it does not appear that these elements can be considered “in the same plane.” Second, these are not the same elements being claimed as being in the same plane. The carriage is neither surface on which the anchor connecting member is connected to the vehicle body nor the surface on which the webbing connecting member is connected to the seat belt. In fact, this recitation of claim 6 was first introduced in the CIP application as Figure 26. The detailed description first describes this feature on page 35 (paragraph 00149); this feature is not disclosed in the provisional application.

Therefore, claims 1, 6, and 7 are not entitled to the priority date of the provisional application and the references cited in the rejection are proper prior art.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after


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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



David Dunn
Primary Examiner
Art Unit 3616